

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

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BROAD STREET PARTNERS,

Plaintiff,

v.

KIMBERLY SCHAEFER, ELAN
BLUTINGER, EDWARD RENSI,
HOWARD SILVER, JOSEPH
VITTORIA, GREAT WOLF
RESORTS, INC., K-9 HOLDINGS,
INC., K-9 ACQUISITION, INC.,
K-9 INVESTORS, L.P., APOLLO
MANAGEMENT, VII, LP,
APOLLO GLOBAL MANAGEMENT, LLC
and RANDALL CHURCHEY,

Defendants.

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ORDER

12-cv-194-bbc

A telephone status conference was held in this case on April 5, 2012, on plaintiff Broad Street Partners' motion for a temporary restraining order, dkt. #6. Plaintiff filed the motion to enjoin the sale of Great Wolf Resorts to entities affiliated with Apollo Global Management, LLC.; the sale was scheduled to take place on April 10, 2012. Plaintiff Broad Street Partners appeared by Richard Brualdi. Defendants Kimberly Schaefer, Elan Blutinger,

Edward Rensi, Howard Silver, Joseph Vittoria, Randall Churchey and Great Wolf Resorts, Inc., appeared by Mary Turke and Albert Bianchi. Defendants K-9 Holdings, Inc., K-9 Acquisition, Inc., K-9 Investors, L.P. Apollo Management VII, LP, and Apollo Global Management LLC, appeared by Donald Schott. Eric Stone and Elena Norman, counsel in the pending Delaware actions, were allowed to participate in the conference call although they are not members of the bar of this court.

During the conference, Eric Stone advised the court and parties that plaintiff's motion for a temporary restraining order may be moot because of a new offer received yesterday by Great Wolf, which will result in the cancellation of the April 10, 2012 closing with the Apollo entities. Counsel advised that they will be participating in a conference call today with the Delaware court on the status of the Delaware actions and Apollo's tender offer. Because of these recent developments, plaintiff agreed to withdraw its motion for a temporary restraining order at this time.

Counsel agreed that there is no need to brief defendants' motion to stay, dkt. #12, unless plaintiff files a renewed motion for preliminary injunction.

ORDER

IT IS ORDERED that plaintiff may withdraw their motion for a temporary restraining order, dkt. #6, and it is WITHDRAWN. Defendants' motion to stay, dkt. #12,

is DENIED as moot.

Entered this 5th day of April, 2012.

BY THE COURT:

/s/

BARBARA B. CRABB
District Judge